

OFFICIAL**FACSIMILE COVER SHEET**

Date: June 4, 2003

FAX RECEIVED

JUN 05 2003

To: Brian J. Broadhead
Fax No: 703-872-9310**GROUP 1700**

BRINKS
HOFER
GILSON
&LIONE

A Professional Corporation
Intellectual Property AttorneysFrom: James P. Naughton, Esq.
Tel. No: 312-321-4723NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
Facsimile 312-321-4299
Telephone 312-321-4200

Client No: 9333

Indianapolis, IN

No. of Pages
(inc. this page): 5

Detroit, MI

Confirmation Copy To Follow: Yes No

Toledo, OH

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,
PLEASE CALL 312-321-4200 AND ASK FOR: Mavis Benson, Ext. 4336

Arlington, VA

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

COVER MESSAGE:**OFFICIAL**
-FAX RECEIVED

JUN 10 2003

GROUP 3600

TRANSMITTAL LETTER				Case No. 9393/253
Serial No. 09/739,686	Filing Date December 18, 2000	Examiner Brian J. Broadhead	Group Art Unit 13681	FAX RECEIVED
Inventor(s) Noboru Yamazaki				JUN 05 2003
Title of invention NAVIGATION SYSTEM				GROUP 1700

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith are Transmittal Letter (in duplicate); Response After Final Office Action; and return postcard.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a _____ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity		Other Than Small Entity
			Rate	Add'l Fee	
Total	Minus		x \$9 =		x \$18 =
Indep.	Minus		x 40 =		x \$80 =
First Presentation of Multiple Dep. Claim			+ \$135 =		+ \$270 =
			Total add'l fee	\$	Total add'l fee

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ _____ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

James P. Naughton
Registration No. 30,685
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(812) 321-4200

I hereby certify that this correspondence is being sent via facsimile to 703-872-9310 and is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on June 4, 2003.

Received from <312 321 4299> at 6/4/03 4:58:40 PM [Eastern Daylight Time]

OFFICIAL
FAX RECEIVED

JUN 10 2003

GROUP 3600

I hereby certify that this correspondence is being sent via facsimile 703-872-9310, Group 1700, and is also being deposited with the United States Postal Service, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

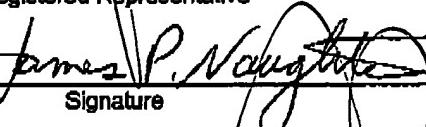
June 4, 2003

Date of Deposit

James P. Naughton, Reg. No. 30,665

Name of Applicant, Assignee or
Registered Representative

Signature



FAX RECEIVED

JUN 05 2003

GROUP 1700

6/10
6/10

Our Case No. 9333/253

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Noboru Yamazaki

Serial No.: 09/739,586

Filing Date: December 18, 2000

For: NAVIGATION SYSTEM

} Examiner: Brian J. Broadhead

} Group Art Unit No.: 3661

RESPONSE AFTER FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant is timely filing this paper on June 4, 2003 in response to the Office Action dated April 9, 2003, which was made final.

Claims 1-20 are pending, including independent claims 1, 9, 14 and 15. All claims have been rejected over the prior art, with Desai being the primary reference.

Independent claim 14 was rejected under 35 U.S.C. § 102(e) as being anticipated by Desai. The remaining claims were rejected under 35 U.S.C. § 103(a) as being obvious over Desai in view of Kishi. The Examiner did not accept Applicant's previous argument that Desai does not store partial (e.g., carpool) lanes and their entry/exit points as separate links and nodes in the road network (see Par. 14 of Office Action). However, Applicant believes the Examiner's interpretation of Desai is completely in error.

The Examiner cites column 5, lines 44-55 of Desai to support his interpretation, but this passage is not relevant. The Examiner probably meant to cite the same lines in column 3. This passage was one that Applicant cited to support Applicant's interpretation of Desai. This passage does not disclose that each lane can be represented by its own link, as the Examiner contends. To the contrary, that passage only states that a link may include one or more lanes having travel restrictions, clearly contemplating that a lane with restrictions is not defined as a separate link in a multi-lane road but rather is part of the same link as the adjacent normal lanes. This is very clear from a reading of Desai as a whole, including other passages Applicant cited to the Examiner (e.g., col. 7, line 61 to col. 8, line 2; col. 8, lines 60-62) but which the Examiner did not address.

The Examiner's erroneous interpretation forms the basis for the rejection of all pending claims. Therefore, Applicant believes all of the Examiner's rejections should be withdrawn in view of the correct interpretation of Desai.

Applicant had also previously amended independent claims 1, 9 and 15 to add the feature that lane change guidance between a partial lane and another lane is performed at a timing that depends on the location of a desired road exit and the width of the road (or total number of lanes). This is a particularly useful feature, e.g., because a driver in a carpool lane (typically an innermost lane of a multi-lane road) may need more advance notice of an exit from the carpool lane to the adjacent ordinary lane when the driver must still traverse several ordinary lanes of the road to reach the desired exit from the road itself. The Examiner acknowledges that Desai does not suggest this feature, but the Examiner asserts that Kishi teaches this feature.

Applicant disagrees. Kishi is silent on the problems associated with partial lanes such as carpool lanes. Kishi addresses the timing of issuing a guidance instruction while driving along a normal road, but suggests nothing about adjusting the timing of lane change guidance between a partial lane and another lane in consideration of the location of a different exit from the road itself and the road width (or number of lanes).

Regarding claim 14, the claim recites, among other features, that the system can be used to notify a driver of an exit from the partial lane even when route guidance is not being performed. First, the Examiner has not addressed this claim feature, and second, the passage cited by the Examiner (col. 5, lines 42-52) is unrelated to this feature (or any other feature) in the claim. Therefore, Applicant believes the rejection of claim 14 should be withdrawn for this reason as well.

In summary, Applicant believes that all pending claims are patentable over the cited art and respectfully requests reconsideration and allowance of the claims in light of the explanation provided herein. If the Examiner believes the application still is not in condition for allowance, the Examiner is requested to telephone Applicant's undersigned representative at 312/321-4723 to discuss any remaining issue.

Respectfully submitted,


James P. Naughton
Registration No. 30,663
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200